



#13/C
DMT
723-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1652
KAPPELER, et al.)	Examiner: RAMIREZ, D.
Serial No.: 09/985,936)	Washington, D.C.
Filed: November 6, 2001)	July 8, 2003
For: METHOD OF PRODUCING NON-BOVINE CHYMOSIN AND USE)	Docket No.: KAPPELER=1A
HEREOF)	Confirmation No.: 4194

AMENDMENT UNDER RULE 1.115

RECEIVED

JUL 10 2003

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

TECH CENTER 1600/2900

S i r :

In response to the office action mailed April 8, 2003, please enter the following amendments and remarks.

IN THE DRAWINGS

Substitute drawings (Figs. 1-6) are enclosed.

IN THE CLAIMS

Please amend claims 4, 7, 8, 13, 15, 49, and 51 as follows:

C1 4 (twice amended). A method according to claim 51 wherein the pre-prochymosin, prochymosin or chymosin is a *Camelus dromedaries* protein.

7. (twice amended). A method according to claim 51 wherein the pre-prochymosin, prochymosin, chymosin, or fusion protein is secreted over the host cell membrane.

C2 8. (twice amended). A method according to claim 51 wherein the DNA differs from pGAMpR solely in that the coding sequence is different.

C3 13 (twice amended). A method according to claim 51 wherein the yield of pre-prochymosin, prochymosin or chymosin milk clotting activity is at least 25 % higher than the yield of bovine pre-prochymosin, bovine prochymosin or bovine chymosin milk clotting activity obtained when using, under identical

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KAPPELER, et al.
 Serial No.: 09/985,936
 Filed: November 6, 2001
 For: METHOD OF PRODUCING NON-BOVINE CHYMOSIN AND USE THEREOF

Art Unit: 1652
 Examiner: RAMIREZ, D.
 Washington, D.C.
 Atty.'s Docket: KAPPELER-01
 Date: July 8, 2003

Honorable Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an [XX] Amendment with Substitute Figs. 1-6 and Declarations
 in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	Small Entity	Other Than a Small Entity
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total 17	Minus 21	0	x 9	\$
Indep. 1	Minus 3	0	x42	\$
First Presentation of Multiple Dependent Claim			140	\$
TOTAL ADDITIONAL CLAIMS FEE				\$
				Total \$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00
☐ Second - \$205.00
☐ Third - \$465.00
☐ Fourth - \$725.00
☐ Fifth - \$985.00

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
☐ Second - \$ 410.00
☐ Third - \$ 930.00
☐ Fourth - \$1450.00
☐ Fifth - \$1970.00

☐ Less fees (\$) already paid for months extension of time on

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached (check no.).

☐ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

BROWDY AND NEWMARK, P.L.L.C.
 Attorneys for Applicant(s)

Facsimile: (202) 737-3528
 Telephone: (202) 628-5197

By:

IVER P. COOPER
 Registration No. 28,005